

No. 89

MICHIGAN SENATE

DAILY CALENDAR

THURSDAY, OCTOBER 22, 2009
10:00 a.m.

MOTIONS

1

(Consideration postponed until Monday, November 30.)

HB 4316 Rep. Lisa Brown

Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

2

(Consideration postponed until Monday, November 30.)

HB 4317 Rep. Kennedy

Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.

Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

3

(Consideration postponed until Monday, November 30.)

HB 4318 Rep. Slavens

Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.

Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

I.E. House, March 26, 2009.

Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

4

(Consideration postponed until Thursday, December 31.)

SR 15 Sen. Whitmer

A resolution to amend the Standing Rules of the Senate.

Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7.

MESSAGES FROM THE GOVERNOR

5

SB 254 Sen. Hardiman

Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Monday, October 12.

For veto message, see Senate Journal No. 84, page 1988.

Vetoed line items pending.

6

SB 237 Sen. Brown

Appropriations; zero budget; department of agriculture; provide for fiscal year 2009-2010.

Creates appropriation act.

Approved by Governor, with line items vetoed, Monday, October 14.

For veto message, see Senate Journal No. 86, page 2010.

Vetoed line items pending.

THIRD READING OF BILLS

7

HB 5120 Rep. Johnson

Taxation; hotel-motel tax; state convention facilities development act; modify.

Amends secs. 6 & 10 of 1985 PA 106 (MCL 207.626 & 207.630).

I.E. House, September 25, 2009.

House substitute (H-1).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

THIRD READING OF BILLS

8

SB 216 Sen. Allen

Liquor; licenses; continuing care retirement center liquor license; create.

Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.

Reported by Committee on Economic Development and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

9

SB 47 Sen. Kahn

Health; pharmaceuticals; prescription drug website; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.

Reported by Committee on Health Policy.

Committee recommended I.E.

10

HB 4386 Rep. Johnson

Public utilities; consumer services; penalties for violation of shutoff procedures; allow commission to establish.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9h.

I.E. House, March 31, 2009.

House substitute (H-1).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

11

HB 4655 Rep. Wayne Schmidt

Public utilities; consumer services; investigation of any shutoffs that result in death or serious injury; allow commission to conduct.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9m.

I.E. House, March 31, 2009.

House substitute (H-1).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

12

HB 4656 Rep. Mayes

Public utilities; municipal utilities; enforcement mechanism for violations by a municipally owned utility; provide for.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9p.

I.E. House, March 31, 2009.

House substitute (H-2).

Reported by Committee on Energy Policy and Public Utilities.

For Senate amendment, see Senate Journal No. 81, page 1880.

Committee recommended I.E.

THIRD READING OF BILLS

13

HB 4658 Rep. Neumann

Public utilities; consumer services; requirement for providers to determine whether a customer is a senior citizen; require.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9o.

I.E. House, March 31, 2009.

House substitute (H-2).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

14

HB 4659 Rep. Sheltroun

Public utilities; consumer services; shutoff notice requirement for municipally owned utilities; establish.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9n.

I.E. House, March 31, 2009.

House substitute (H-3).

Reported by Committee on Energy Policy and Public Utilities.

For Senate amendments, see Senate Journal No. 81, page 1881.

Committee recommended I.E.

15

HB 4673 Rep. Mayes

Public utilities; consumer services; public service commission rules on shutoffs; require municipally owned utilities to comply with.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9q.

I.E. House, March 31, 2009.

House substitute (H-3).

Reported by Committee on Energy Policy and Public Utilities.

For Senate amendments, see Senate Journal No. 81, page 1881.

Committee recommended I.E.

16

HB 5055 Rep. Bennett

Natural resources; inland lakes; permit conditions for marinas and other mooring structures; provide for.

Amends secs. 30101, 30102, 30103 & 30104 of 1994 PA 451 (MCL 324.30101 et seq.) & adds sec. 30106a.

I.E. House, September 15, 2009.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

17

SB 608 Sen. Jelinek

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2009-2010.

Creates appropriation act.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

18

SB 35 Sen. Sanborn

Civil procedure; statute of limitations; statute of limitations and statute of repose for actions against architects, engineers, and construction contractors; revise.

Amends secs. 5805 & 5839 of 1961 PA 236 (MCL 600.5805 & 600.5839).

Reported by Committee on Judiciary.
Committee recommended I.E.

19

SB 361 Sen. Gilbert

Michigan business tax; gross receipts; phase-in of exclusion of tobacco taxes from the definition of gross receipts; eliminate.

Amends sec. 111 of 2007 PA 36 (MCL 208.1111).

Reported by Committee on Finance.
Committee recommended I.E.

20

SB 165 Sen. Barcia

Traffic control; accidents; procedure relating to obtaining crash reports; modify.

Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).

Reported by Committee on Transportation.
Committee recommended I.E.

21

SB 388 Sen. Birkholz

Natural resources; other; state park, boating access site, and forest recreation passport fees; provide for distribution of revenue.

Amends secs. 2005, 2030, 2035, 74101, 74102a, 74116, 74117, 74122, 74123, 78105 & 83106 of 1994 PA 451 (MCL 324.2005 et seq.); adds secs. 1911 & 2045 & repeals secs. 1909 & 1910 of 1994 PA 451 (MCL 324.1909 & 324.1910).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-4).

Committee recommended I.E.

22

SB 389 Sen. Basham

Natural resources; other; state park, boating access site, and forest recreation passport; create.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 805.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-6).

Committee recommended I.E.

23

SB 478 Sen. Sanborn

Corrections; other; report to legislature of status of offender tracking system; require.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.

Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

24

SB 592 Sen. Kuipers

Education; financing; certain energy contracts; allow.

Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).

Reported by Committee on Education.

Committee recommended I.E.

25

SB 325 Sen. Basham

Crimes; other; installation or use of motor vehicle tracking device; prohibit under certain circumstances and provide penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 539l.

Reported by Committee on Judiciary.
Committee recommended I.E.

26

HB 4674 Rep. Mayes

Michigan business tax; credit; credit for anchor companies based on qualified new jobs created by certain suppliers and customers; revise.

Amends sec. 431a of 2007 PA 36 (MCL 208.1431a).

I.E. House, May 5, 2009.

Reported by Committee on Commerce and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

27

SB 251 Sen. McManus

Appropriations; zero budget; department of natural resources; provide for fiscal year 2009-2010.

Creates appropriation act.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

28

HB 4507 Rep. Espinoza

Natural resources; other; counties eligible for operation of off-road vehicles on road shoulders; expand.

Amends sec. 81131 of 1994 PA 451 (MCL 324.81131).

I.E. House, March 24, 2009.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

29

HB 4327 Rep. Young

Labor; fair employment practices; unpaid leave for pregnant law enforcement officers; prohibit.

Amends sec. 202 of 1976 PA 453 (MCL 37.2202).

I.E. House, March 18, 2009.

Reported by Committee on Commerce and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

30

HB 4793 Rep. Byrum
Occupations; architects, professional engineers, and surveyors; licensing exam after graduation for architectural graduates; allow.
Amends secs. 2004 & 2005 of 1980 PA 299 (MCL 339.2004 & 339.2005).
I.E. House, June 10, 2009.
House substitute (H-1).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

31

HB 4932 Rep. Rocca
Gaming; other; allowable value for coupons awarded in redemption games; increase.
Amends sec. 310b of 1931 PA 328 (MCL 750.310b).
I.E. House, June 2, 2009.
House substitute (H-2).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-2).
Committee recommended I.E.

32

SB 670 Sen. Richardville
Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.
Amends sec. 10 of 1951 PA 51 (MCL 247.660).
Reported by Committee on Transportation.
Committee recommended I.E.

33

HB 5086 Rep. Simpson
Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.
Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).
I.E. House, June 25, 2009.
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.

34

SB 636 Sen. Kuipers
Education; other; neighborhood public schools; create in school code.
Amends secs. 5, 1204a, 1230, 1230a, 1230b, 1230c, 1230d, 1230e, 1233, 1233b, 1246, 1277, 1278, 1280 & 1311 of 1976 PA 451 (MCL 380.5 et seq.) & adds pt. 6D & sec. 1701b.
Reported by Committee on Education.
Committee recommended I.E.

35

SB 637 Sen. Cassis
Education; other; school aid act changes to provide funding for neighborhood public schools; provide for.
Amends secs. 3, 6, 8b, 18, 18b, 18c, 20, 31a, 51a, 101, 169 & 169b of 1979 PA 94 (MCL 388.1603 et seq.) & adds sec. 9.
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

36

SB 638 Sen. Birkholz
Education; teachers; exemption from teacher tenure act for neighborhood public schools as defined in revised school code; provide for.
Amends sec. 1, art. I & sec. 1, art. III of 1937 (Ex Sess) PA 4 (MCL 38.71 & 38.91).
Reported by Committee on Education.
Committee recommended I.E.

37

SB 639 Sen. Hardiman
Labor; public service employment; neighborhood public schools; provide for in public employment relations act.
Amends secs. 1 & 15 of 1947 PA 336 (MCL 423.201 & 423.215).
Reported by Committee on Education.
Committee recommended I.E.

38

HB 4161 Rep. LeBlanc
Health; pharmaceuticals; prohibition on dispensing a prescription for a controlled substance received via electronic means from a physician prescriber in a state other than Michigan; remove.
Amends secs. 7405, 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.7405 et seq.).
I.E. House, June 17, 2009.
House substitute (H-1).
Reported by Committee on Health Policy.
Committee recommended I.E.

39

HB 4906 Rep. Ebli
Taxation; administration; streamlined sales and use tax administration act; provide for method to correct incorrect classification.
Amends sec. 25 of 2004 PA 174 (MCL 205.825).
Reported by Committee on Finance.
Committee recommended I.E.

40

HB 4649 Rep. Horn
Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.
Amends sec. 7 of 1984 PA 34 (MCL 400.1207).
I.E. House, March 31, 2009.
House substitute (H-1).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

41

HB 4650 Rep. Spade
Human services; services or financial assistance; requirement for energy assistance payments to be directed to provider; provide for.
Amends 1984 PA 34 (MCL 400.1201 - 400.1217) by adding sec. 7a.
I.E. House, March 31, 2009.
House substitute (H-2).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

GENERAL ORDERS

42

HB 5221 Rep. Bennett
 Environmental protection; pollution prevention; laboratory recognition program; eliminate.
 Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).
I.E. House, September 15, 2009.
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

43

HB 5222 Rep. Bennett
 Water; other; groundwater dispute resolution program; eliminate.
 Repeals pt. 317 of 1994 PA 451 (MCL 324.31201 - 324.31713).
I.E. House, September 15, 2009.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

44

HB 4182 Rep. Durhal
 State financing and management; funds; 21st century jobs trust fund; modify distribution of funds.
 Amends sec. 7 of 2000 PA 489 (MCL 12.257).
I.E. House, September 23, 2009.
House substitute (H-4).
Reported by Committee on Appropriations.
For Senate amendment, see Senate Journal No. 81, page 1883.
Committee recommended I.E.

45

HB 5207 Rep. Robert Jones
 Property; conveyances; certain state owned property conveyed to western Michigan university; revise conditions of conveyance.
 Creates land transfer act.
I.E. House, September 17, 2009.
House substitute (H-2).
Reported by Committee on Appropriations.
Committee recommended I.E.

46

HB 4999 Rep. Mayes
 Traffic control; violations; weight restrictions during frost restriction periods; provide exemption for public utility subcontractors.
 Amends sec. 722 of 1949 PA 300 (MCL 257.722).
I.E. House, August 19, 2009.
House substitute (H-1).
Reported by Committee on Transportation.
Committee recommended I.E.

GENERAL ORDERS

47

HB 4995 Rep. Lahti
 State; publications; requirement to include the Upper Peninsula in any publication of a map or depiction of the state of Michigan; provide for.
 Creates new act.
I.E. House, August 19, 2009.
House substitute (H-1).
Reported by Committee on Commerce and Tourism.
Committee recommended I.E.

48

HB 5245 Rep. Polidori
 Occupations; mortuary science; registry of names of unclaimed cremated remains; require.
 Amends 1980 PA 299 (MCL 339.101 - 339.2919) by adding sec. 1809b.
I.E. House, September 10, 2009.
House substitute (H-2).
Reported by Committee on Senior Citizens and Veterans Affairs.
Committee recommended I.E.

49

HB 5246 Rep. Kurtz
 Torts; liability; funeral director liable for properly disposing of unclaimed cremated remains; grant immunity.
 Amends 1980 PA 299 (MCL 339.101 - 339.2919) by adding sec. 1809a.
I.E. House, September 10, 2009.
House substitute (H-1).
Reported by Committee on Senior Citizens and Veterans Affairs.
Committee recommended I.E.

50

SB 796 Sen. Cassis
 Michigan business tax; credit; qualified film production credit confidentiality provision reporting provisions; eliminate and revise.
 Amends sec. 455 of 2007 PA 36 (MCL 208.1455).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

51

SB 889 Sen. Cassis
 Taxation; administration; disclosure of certain film office credits; allow.
 Amends sec. 28 of 1941 PA 122 (MCL 205.28).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

52

HB 4311 Rep. Cushingberry
 Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2008-2009.
 Creates appropriation act.
I.E. House, September 2, 2009.
House substitute (H-3).
Reported by Committee on Appropriations.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

53

SB 500 Sen. Stamas

Economic development; plant rehabilitation; definition of facility to include certain existing facilities; modify.

Amends secs. 2, 4, 7, 9 & 10 of 1974 PA 198 (MCL 207.552 et seq.).

Reported by Committee on Economic Development and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

54

SB 501 Sen. Kahn

Economic development; plant rehabilitation; definition of facility to include certain existing facilities; modify.

Amends secs. 11, 14, 15, 16 & 16a of 1974 PA 198 (MCL 207.561 et seq.).

Reported by Committee on Economic Development and Regulatory Reform.

Committee recommended I.E.

55

SB 744 Sen. Sanborn

Insurance; other; use of genetic information in denying or pricing medicare supplement policies; prohibit.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3829a.

Reported by Committee on Economic Development and Regulatory Reform.

Committee recommended I.E.

56

SB 786 Sen. Sanborn

Higher education; proprietary schools; certain sales of goods and services produced by students; allow.

Amends secs. 1, 1a, 2, 2a & 2b of 1943 PA 148 (MCL 395.101 et seq.).

Reported by Committee on Economic Development and Regulatory Reform.

Committee recommended I.E.

57

HB 4234 Rep. Nathan

Occupations; appraisers; provision regarding lapsed license of real estate appraiser; repeal.

Repeals sec. 2629 of 1980 PA 299 (MCL 339.2629).

I.E. House, March 17, 2009.

Reported by Committee on Economic Development and Regulatory Reform.

Committee recommended I.E.

58

SB 283 Sen. Jelinek

Property tax; assessments; certain nonprofit and habitat for humanity homes; assess at sale price.

Amends sec. 27 of 1893 PA 206 (MCL 211.27).

Reported by Committee on Finance.

Committee recommended I.E.

GENERAL ORDERS

59

SB 563 Sen. George

Income tax; credit; tax credit for donation of an automobile to a qualified charitable organization; repeal sunset.

Amends sec. 269 of 1967 PA 281 (MCL 206.269).

Reported by Committee on Finance.

Committee recommended I.E.

60

SB 719 Sen. Allen

Courts; records; use of electronic seals on court documents; allow.

Amends sec. 2 of 1895 PA 198 (MCL 565.232).

Reported by Committee on Judiciary.

Committee recommended I.E.

61

SB 720 Sen. Kuipers

Courts; records; definition of "seal"; expand to include the use of electronic seals on court documents.

Amends sec. 3n of 1846 RS 1 (MCL 8.3n).

Reported by Committee on Judiciary.

Committee recommended I.E.

62

SB 680 Sen. Pappageorge

State agencies (existing); state; secretary of state to provide written information to certain drivers regarding laws and penalties relating to selling or furnishing alcohol to minors; require.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 314a.

Reported by Committee on Transportation.

Committee recommended I.E.

63

SB 879 Sen. Hunter

Land use; zoning and growth management; adult entertainment advertising signs; regulate.

Creates new act.

Reported by Committee on Transportation.

Committee recommended I.E.

RESOLUTIONS

64

SR 41 Sen. Cropsey

A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.

Reported by Committee on Judiciary.

For text of resolution, see Senate Journal No. 32, page 591.

Adoption pending.

RESOLUTIONS

65

SR 75 Sen. Patterson

A resolution to extend subpoena power to the Senate Judiciary Committee.

Motion to suspend rules postponed, Wednesday, August 26.**For text of resolution, see Senate Journal No. 65, page 1325.****Rules suspension pending.****SCHEDULED MEETINGS****Education** - Thursday, October 22, 2:30 p.m., Room 210, Farnum Building (373-6920)**SCHEDULED MEETINGS****Finance** - Thursday, October 22, 11:00 a.m., Room 110, Farnum Building (373-1758)**Legislative Commission on Statutory Mandates** - Monday, October 26, 9:00 a.m., Waterford Room, 1st Floor, Oakland County Executive Office Building, 2100 North Pontiac Lake Road, Waterford (373-0212)**Legislative Retirement Board of Trustees** - Thursday, December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)**BILLS IN CONFERENCE**

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown	Clark-Coleman		
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert	Clarke		
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert	Clarke		
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert	Clarke		
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert	Clarke		
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert	Clarke		
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert	Clarke		
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert	Clarke		
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert	Clarke		

BILLS IN CONFERENCE					
Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke			